

WTF LHK

28 March 1949

MEMORANDUM FOR: GENERAL COUNSEL

SUBJECT: S. 247 - National Science Foundation Act of 1949

1. It appears to me that the proposed Act does not adequately provide for the safeguarding of scientific intelligence and information. Section 10 (g) specifically authorizes the Foundation to further the dissemination of information of scientific value, providing only the limitation that such dissemination must be "consistent with the national interest". Sec 14 (1) gives the Foundation full and independent authority to determine regulations and procedures for the security classification of <sup>scientific</sup> information, providing only the very small limitation that the Foundation shall "consult" with the Secretary of Defense in the case of information which has military significance.
2. The Act appears to include no machinery for the solution of conflicts between (a) the Foundation's desire to disseminate a given piece of information, and (b) the need to restrict such dissemination in the interests of the national security, particularly when the information in question is not of specifically military significance.
3. The Foundation might readily obtain access to highly classified scientific intelligence, perhaps collected overseas through clandestine means, and then insist upon its right to disseminate that intelligence or information to whomever it chose. Who, in such a case, would be responsible for determining that the dissemination was not "consistent with the national interest" and therefore should not be made?
4. It seems to me that it would be well to provide, in the Act itself, that the Foundation should be restrained from lowering the security classification of any foreign intelligence or information of a scientific or technical nature,\* and that it should not disseminate such intelligence save with the prior approval of the DCI.



\* Same with the approval of the originating agency.

Office of Collection and Dissemination